

**REMARKS**

Claims 1, 4, 6, 8, 10, 13-14, 17, 19, 21, 23, 26-27, 30, 32-36 and 39 have been amended. Claims 28-29 have been cancelled. Claims 40-44 have been added. Thus, claims 1-27 and 30-46 are presently pending with claims 1, 4, 10, 13-14, 17, 23, 26-27, 30, 36, 39, 41, 43 and 45-46 being independent claims.

**Allowable Claims**

Applicants appreciate the indication of allowability of claims 4-10, 12, 13, 17-23, 25, 26, 30-36, 38 and 39 if re-written in independent form including all of the limitations of the base claim and any intervening claim.

Claims 4, 10 and 13 have been amended to incorporate the elements of the previous claim 1 upon which they were dependent. Accordingly, Applicants believe claims 4, 10 and 13 are now in condition for allowance. Although Applicants appreciate the indication of allowability of claims 5-9 and 12 ( which is dependent upon rejected claim 11), Applicants believe the underlying amended independent claim 1 upon which claims 5-9 and 12 are dependent is now in condition for allowance as discussed below. Therefore Applicants are not amending claims 5-9 and 12 at this time (save for antecedent basis corrections to claim 6 and claim 8).

Similarly, claims 17, 23 and 26 have been amended to incorporate the elements of the previous claim 14 upon which they were dependent. Accordingly, Applicants believe claims 17, 23 and 26 are now in condition for allowance. Although Applicants appreciate the indication of allowability of claims 18-22 and 25 ( which is dependent upon rejected claim 24), Applicants believe the underlying amended independent claim 14 upon which claims 18-22 and 24 are dependent is now in condition for allowance as discussed below. Therefore Applicants are not amending claims 18-22 and 25 at this time (save for antecedent basis corrections to claim 19 and claim 21).

Likewise, claims 30, 36 and 39 have been amended to incorporate the elements of the previous claim 27 upon which they were dependent. Accordingly, Applicants believe claims 30, 36 and 39 are now in condition for allowance. Although Applicants appreciate the indication of

allowability of claims 31-35 and 38 ( which is dependent upon rejected claim 37), Applicants believe the underlying amended independent claim 27 upon which claim 31-35 and 38 are dependent is now in condition for allowance as discussed below. Therefore Applicants are not amending claims 31-35 and 38 at this time (save for antecedent basis corrections ).

#### Newly Added Claims

Applicants have added claims 40-46. Claim 40 is a dependent on claim 27 and is discussed below. Claim 41 is a medium claim corresponding to amended independent claim 30 and should be allowed on the same basis. Claim 42 depends on claim 41 and claims that the electronic device is a computer system. As the underlying claim 41 should be in condition for allowance, claim 42 should also be allowed. Claim 43 is a medium claim corresponding to the elements of allowed claim 31. Claim 44 is a medium claim dependent upon claim 43 claiming that the electronic device is a computer system and should be allowed on the same basis as claim 43. Claims 45 and 46 are independent medium claims corresponding to method claims 1 and 14 respectively and should be allowed on the same grounds as claims 1 and 14 which are discussed below. Thus, Applicants respectfully suggest that claims 40-46 are in condition for allowance.

#### Rejection of Claims Under 35 U.S.C. §103(a)

Claims 1-3, 5-9, 11-12, 14-16, 18-22, 24-25, 27, 31-35 and 37-38 (with claims 5-9, 12, 18-22, 25, 31-35 and 38 being indicated as allowable if re-written), were rejected pursuant to 35 U.S.C. §103(a) as being obvious over Choi (United States Patent Number 5, 964, 873 hereafter "Choi). In view of the amendments above and for the reasons set forth below, Applicants respectfully traverse these rejections.

#### Summary of Claimed Invention

The claimed invention provides a method for delivering, retrieving and displaying content to a user during the initial boot sequence of a computer or electronic device and/or after the completion of the initial boot sequence but prior to the loading of an operating system. The method enables the content to be updated automatically following the loading of the operating system or in response to a user request, depending upon the implementation of the invention.

The updated content may originate from a remote or local location and is transferred to a persistent storage medium capable of being accessed prior to the loading of the operating system. The persistent storage medium may be different from the medium holding the BIOS. The method further enables the updating process to be conducted in a non-intrusive manner so as not to disturb other processes running on the computer system or electronic device. Additional embodiments of the present invention enable the display of content to a user to take place in an interactive format during the boot sequence.

### Summary of Choi

Choi discusses a method of updating ROM BIOS to include user input information. New user input information is combined with a new ROM BIOS image data read from auxiliary memory in order to create a unique ROM BIOS image. The user input information is entered via a keyboard in an interactive process. The new ROM BIOS image data, which now includes the user input information as an identifying characteristic, is used to overwrite the previous ROM BIOS image data on the medium holding the ROM BIOS. Subsequent POST operations display the ROM BIOS image data bearing the user input information so as to uniquely identify a user's computer. Alternate implementations allow company information to be included in the new ROM BIOS image data.

Claims 1 (upon which claims 2-3, 5-9 and 11-12 are dependent) , and 14 (upon which claims 15-16, 18-22 and 24-25 are dependent) have been amended to indicate that the designated persistent storage medium from which the content is retrieved for display during/after POST is different from the medium holding the BIOS. Choi does not disclose, teach or suggest the retrieval of content from a persistent storage medium different from that holding the BIOS. Rather, Choi discusses the updating of the ROM BIOS image data by overwriting the old image data on the same medium (e.g.: by overwriting ROM Flash BIOS). Applicants claimed invention is not restricted to the storing of content and subsequent retrieval of that content from the medium used to hold the ROM BIOS (which is usually more expensive than other types of persistent storage mediums). Since Choi does not disclose, teach or suggest all of the elements of the underlying independent claims, Applicants respectfully suggest the dependent claims are also

in condition for allowance. Accordingly, Applicants believe claims 1-3, 5-9, 11-12, 14-16, 18-22 and 24-25 are now in condition for allowance.

Claim 27 (upon which claims 31-35, 37 and 38 are dependent) has been amended to indicate that the updating of the content displayed during or after POST but before operating system loading occurs by automatically transferring selected content from a second persistent storage medium to the designated persistent storage medium location without user input. Choi does not disclose, teach or suggest the programmatic updating of content which is to be displayed during/after POST prior to operating system loading. Rather, Choi discusses an interactive process dependent upon user input from a keyboard of identifying user information in order to update ROM BIOS image data. Since Choi does not disclose, teach or suggest all of the elements of the underlying independent claims, Applicants respectfully suggest the dependent claims are also in condition for allowance. Accordingly, Applicants believe claims 27, 31-35 and 37-38 are now in condition for allowance.

**Conclusion**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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